

**STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS**

TO: Kim Nazarek
Financial Advisors Network
141 Stony Circle #207
Santa Rosa, CA 95401

3839 Horizon View Way
Santa Rosa, CA 95404

DESIST AND REFRAIN ORDER

(For violations of sections 25230 and 25401 of the California Corporations Code)

The California Corporations Commissioner finds that:

1. Kim Nazarek ("Nazarek") is an individual who used the fictitious business name, Financial Advisors Network. Nazarek doing business as Financial Advisors Network operated at various locations in Northern California. Financial Advisors Network is not licensed as either a securities broker or investment adviser by the Department of Corporations or the Securities and Exchange Commission.

2. Nazarek violated the Corporate Securities Law ("CSL") in California. Nazarek was a registered representative with several broker dealers. Nazarek was assigned Central Registration Depository ("CRD") number 1225824 with the Financial Regulatory Authority ("FINRA"). FINRA's CRD records show that on December 2, 2009, Nazarek was terminated from employment and that customer complaints were filed against him alleging misrepresentation, unsuitable and or unauthorized transactions. At no time was Nazarek licensed either as a securities broker or an investment adviser by the Department of Corporations or the Securities and Exchange Commission and he was not licensed by the California State Bar.

3. Nazarek advertises his business services to include investment services, financial planning, financial services, and estate and property attorney services. Nazarek represented himself to be a "Certified Senior Advisor" and member of the Society for Certified Senior Advisors, which he stated was an association of individuals with specific training to work with seniors and their specific needs.

1 4. Nazarek sought funds directly from investors, including some unsophisticated and
2 unaccredited individuals. Nazarek sold elderly investors various financial products, such as variable
3 annuities, and collected commissions and fees from his services. In doing so, Nazarek failed to
4 disclose to investors that other customers had filed complaints against him and that he had been
5 terminated from employment by a registered broker dealer. Nazarek failed to disclose that Financial
6 Advisors Network was a fictitious business name he filed to enable him to continue doing business
7 with an aura of legitimacy after being terminated by licensed broker-dealers.

8 5. Nazarek advised some investors to sell their publicly traded stock or use other assets to
9 invest their money in financial products that would generate considerable fees and commissions
10 for him. Nazarek obtained compensation from the funds invested with commissions, points and/or
11 advisory fees. Nazarek provided advice to others but lacked the requisite investment adviser
12 certificate. Corporations Code section 25230 prohibits an investment adviser from conducting
13 business as an investment adviser in this state unless the investment adviser has first applied for
14 and secured a certificate from the Commissioner.

15 6. The offer or sale of securities or buying or offering to buy securities in the State of
16 California by Nazarek were made by means of written or oral made misrepresentations or omissions
17 of material facts, which violates Corporations Code section 25401.

18 Based upon the foregoing findings, the California Corporations Commissioner is of the
19 opinion that the offer or sale of securities or buying or offering to buy securities in the State of
20 California by Kim Nazarek doing business as Financial Advisors Network were made by means
21 of written or oral communications which included an untrue statement of a material fact or
22 omitted to state a material fact necessary in order to make the statements made, in the light of the
23 circumstances under which they were made, not misleading, in violation of Corporations Code
24 section 25401.

25 Further, the California Corporations Commissioner is of the opinion that Kim Nazarek doing
26 business as Financial Advisors Network conducted business as an investment adviser in California
27 without having first obtained a certificate from the Commissioner authorizing such activities, in
28 violation of section 25230 of the Corporations Code.

1. Desist and refrain from offering or selling or buying or offering to buy any security in the State of California by means of any written or oral communication which includes an untrue statement of a material fact or omits to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; and,
2. Desist and refrain from conducting business as an investment adviser in the State of California, unless and until granted a certificate by the California Corporations Commissioner under said law or unless exempt.

This Order is necessary, in the public interest, for the protection of investors and consistent with the purposes, policies and provisions of the Corporate Securities Law of 1968.

Dated: May 27, 2011
Los Angeles, California

PRESTON DuFAUCHARD
California Corporations Commissioner

By ALAN S. WEINGER
Deputy Commissioner
Enforcement Division